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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Billed Party Preference for)
InterLATA 0+ Calls)

CC Docket No. 92-77

AT&T Petition for Clarification and/or Reconsideration

AT&T Corp. ("AT&T") hereby petitions for clarification and/or reconsideration of the Second Report and Order and Order on Reconsideration, FCC 98-9, released January 29, 1998 and published in the Federal Register on March 10, 1998 ("Second Report").

AT&T seeks clarification (or if necessary reconsideration)¹ on several straightforward issues, and believes the interpretations offered below are fully consistent with the principles established in the Second Report. Nevertheless, AT&T seeks to assure that the systems it will build to comply with the Second Report will accomplish the intended results.²

¹ AT&T believes that the issues raised below do not materially change any of the requirements of the Second Report, and thus need only clarification by the Commission. In the alternative, to the extent that the Commission finds that any of the matters raised below should be treated as a petition for reconsideration, AT&T requests that the Commission reconsider the Second Report and modify its rules consistent with the positions stated below.

² AT&T had no opportunity to provide the Commission with information concerning the implementation requirements of

(footnote continued on following page)

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List A B C D E

First, AT&T seeks clarification that the rate information message carriers must offer on 0+ dialed collect and billed to third number calls from aggregator phones need only be provided to the party that will be billed for the call, and need not be offered to the calling party.³ This is fully consistent with the concept of "billed party preference," and it will help to control the costs of implementing, maintaining and operating the systems to provide the required information. It will also simplify the development of the necessary systems changes.⁴ Moreover,

(footnote continued from previous page)

the Second Order before that order was issued. AT&T has already informed the Commission staff that it will require a waiver of the timeframes to implement the Second Report, due principally to the fact that its switch vendor needs additional time to develop the necessary software. Ex parte letter from Robert Castellano, AT&T, to Magalie Roman Salas, FCC, dated April 3, 1998. AT&T will file a formal waiver request with the Commission after it compiles all the information necessary to support its request. Prompt resolution of the issues raised here will assist AT&T in developing its final specifications.

³ The rate information announcement message for calling card calls (the vast majority of 0+ calls) will be made at the beginning of the call at the originating telephone because the calling party will pay for the call. The announcement for collect and billed to third party calls will be made prior to the called (or billed) party's agreement to accept charges for the call.

⁴ Reduced cost and simplification will result from the fact that the development for different announcement systems supporting different types of calls can focus on a single rate information announcement for each type of covered call.

providing rate information to the calling party in such cases may only lead to confusion, because those individuals are not part of the payment decisions for such calls. Rather, the decision regarding whether to accept the charges rests solely with the party who will be given an opportunity to obtain rate information. Therefore, the Commission should clarify that carriers of 0+ calls from aggregator phones need only offer rate information on collect and billed to third party calls to the parties who will be billed for such calls.

Second, AT&T seeks clarification that the rates to be provided to customers include only the charges that will be billed by the OSP, including any location specific charges that will appear on the OSP's bill. Specifically, AT&T seeks clarification that it need not inform customers about charges that hotels, motels, hospitals or other similar entities will collect directly from persons who use their telephone equipment through the use of separate billing arrangements. There is a wide range of charging mechanisms that aggregators use to assess such fees (when they are charged). These charges are location specific and generally not known to the OSP. Consequently, OSPs cannot develop systems that will enable them to incorporate such charges into the rate announcements contemplated by the Second Order.

Third, AT&T seeks clarification that the Second Order does not apply to air-to-ground calls. The Commission long ago required such calls to be detariffed, and the rates for such calls are established by the notices clearly posted at the phones themselves. Moreover, customers who place calls from air-to-ground phones are not likely to be confused about the rates for such calls, which are typically available from only a few suppliers.

Finally, AT&T seeks classification that its approximately 8,700 Public Phone 2000 and Public Phone 1000 sets qualify as "store and forward" phones and are therefore subject to the October 1999 date for compliance with the Commission's rate information rules. This clarification is necessary only to deal with circumstances in which callers at these phones "swipe" their calling or credit cards into the card reading devices of these phones. In such cases, the phone stores the card digits until after the caller dials the telephone number of the called party and forwards them through the network at the same time that the caller would otherwise hear the announcement regarding the availability of rate information.⁵

⁵ In other circumstances, when these phones' store and forward capabilities are not being used, the rate information message will be provided as on all other aggregator phones.

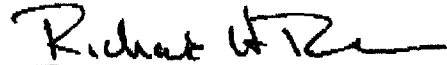
WHEREFORE the Commission should clarify that:

- (i) rate information on collect and billed to third number calls need only be offered to the billed party;
- (ii) the rates provided to consumers need only include charges that the OSP will bill, including any location specific charge the OSP bills on behalf of a location owner;
- (iii) air-to-ground calls are not included within the scope of the Second Order; and
- (iv) AT&T Public Phone 2000 and 1000 sets qualify as store and forward payphones for purposes of the Commission's rules.

Respectfully submitted,

AT&T CORP.

By



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April 9, 1998

CERTIFICATE OF SERVICE

I, Rena Martens, do hereby certify that on this 9th day of April, 1998, a copy of the foregoing "AT&T Petition for Clarification and/or Reconsideration" was served by U.S. first class mail, postage prepaid, to the parties listed on the attached service list.



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